IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7950 of 2007()

(CRIME NO. 132/2007 OF PAVARATTY POLICE STATION)

APPLICANT/ACCUSED NO.7

SHINOY, VELLAMPARAMBIL HOUSE,
POOVATHUR P.O., THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.REVIKRISHNAN

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING S.I. OF POLICE,
PAVARATTY POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. K.MOHANAN, J.

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Bail Application NO. 7950 of 2007

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Dated this the 24th day of December,2007.

O R D E R

This is an application for anticipatory bail filed by the applicant who is accused No.7 in Crime No.132/2007 of Pavaratty Police Station.

2. The prosecution case is that on 9-4-2007 at 10 A.M. due to political animosity between two groups the applicant along with other accused formed themselves into an unlawful assembly and in furtherance of their common object carrying deadly weapons like iron rods, swords etc., stopped the car, in which the defacto complainant and others were travelling, damaged its glasses by beating with iron rods and inflicted cut injuries on the defacto complainant and others and thereby attempted to commit their death. Accordingly, Crime No.132/2007 of Pavaratty Police Station was registered against the applicant and other accused for offences punishable under sections 143, 147, 148, 341, 427, 324, 326 and 307 read with section 149 IPC.

2. I have heard learned counsel for the applicant and learned Public Prosecutor.

3. Annexure-A order shows that the petitioner herein had already approached this Court by filing B.A.No.5244/2007, which was dismissed by this Court with an observation that “if the petitioner appears before the learned Magistrate and applies for bail after giving sufficient prior notice to the Prosecutor in charge of the case, the Magistrate must proceed to pass orders on merits, in accordance with law and expeditiously”. The petitioner has not chosen to appear before the Magistrate and apply for bail. After the lapse of about three months from the date of Anneuxre-A order the petitioner has approached this Court with the same prayer.

4. In the circumstances, I am not inclined to grant the relief sought in this application. Hence, the application is dismissed.

V.K.MOHANAN,
JUDGE.

mn